JURY COMPLETED BEFORE RECESS AND STATE WAS READY TO BEGIN INTRODUCTION OF ITS TESTIMONY

Last Man In the Last Panel Was Accepted as the Twelfth Juror and Cleared the Way for the Actual Trial of the Case When Court Reconvened at 3 o'Clock—Newt Lee Will Probably Be the First Witness Placed on the Stand

BOTH THE STATE AND DEFENSE SEEMED SATISFIED WITH TWELVE MEN CHOSEN TO TRY IMPORTANT CASE

Proceeding During the Morning More Like That of a Civil Than a Criminal Case—Court Room Crowded, but Not Uncomfortable—Frank Appears in Court, Showing No Sign of Worry—Full Story of the Morning Session

Sidebar:

PERSONNEL OF FRANK JURY; ALL MARRIED EXCEPT ONE

With one exception the jurors for the Frank trial are married men and five are fathers. Among them is one bank teller, one bookkeeper, one real estate agent, one manufacturer, one contractor, one optician, one claim agent, one mailing clerk, two salesmen and two machinists.

The following are the jurors:

M. Johemmings, married, foreman at 271 Marietta street, residence 161 Jones avenue

M. L. Woodward, married and father of two children, salesman at King Hardware company. He resides at 182 Clark street.

J. T. Osburn, married, and father of several children, is foreman optician of A. K. Hawk's Optical company, and resides at 46 West End Place.

A. H. Hemlee, married, is a traveling salesman and lives at 74 Oak street.

F. V. L. Smith, married, and father of three boys, is an electrical manufacturer's agent with offices in the Empire building, and lives at 481 Cherokee avenue.

J. F. Higdon, married, is a contractor. His business office and home are at 108 Ormewood avenue.

Deder Townsend, married, paying teller at the Central Bank and Trust corporation, lives at 17 East Linden street. He is twenty-four years old.

W.S. Metcalf, married, mailing clerk, in circulation department of the Atlanta Georgian, lives at 136 Kirkwood avenue.

F. E. Winburn, married, has one boy and two girls. He is freight [1 word illegible] and West Point railroad and has been in Atlanta since 1884. His father is D. W. Winburn, superintendant of repairs of the Atlanta public schools. He lives at 213 Lucile avenue, West End.

A. L. Wisbey, married, forty-five years old, has one adopted daughter, twelve years old, for ten years he has been with the Buckeye Cotton Oil company, and is now cashier. He lives at 31 Hood street.

Charles J. Bosshardt, single, is pressman at Foote & Davies, and lives at 216 Bryan street.

W. M. Jeffries, married, has no children. He is a real estate dealer and recently lived in Bolton, Georgia

* * *

The jury which will try Leo M. Frank for the murder of Mary Phagan was selected Monday morning within the surprisingly short time of three hours, and the actual hearing of testimony was begun Monday afternoon at 3 o'clock.

The first witnesses will be introduced by the state, and will testify to the discovery of Mary Phagan's body in the cellar of the National Pencil factory, and to other circumstances which go to prove that she was murdered.

A large part of the afternoon will be consumed by the state in making out its case. In proving that Mary Phagan was murdered,

Solicitor General Hugh Dorsey probably will introduce Newt Lee, police officers and physicians who examined the body.

Indications now are that the trial will continue during this week, and probably will extend into the week following.

The jury was completed after eight panels of veniremen had been exhausted, and the last juror was the last member of the eighth panel. Had she not been eligible, other panels must have been called.

Throughout the selection of the jury, Leo M. Frank sat between his wife and his mother. He seemed confident and cheerful, frequently smiling.

The air of the court room was that of a civil rather than a criminal tribunal. The entire proceeding was free from delay or debate; and the prospect was that the trial will proceed quickly.

During the entire time spent in the selection of the jury, no unusual or dramatic incident occurred in interrupt the business of selecting the twelve men before whom Leo M. Frank is to be tried.

The court room was filled almost entirely with veniremen and lawyers, only a few spectators had been admitted to the room, and these few sat in quiet curiosity. On scarcely any question did attorneys disagree to the point of debate, and by the time of adjournment the jury was complete and ready to hear the testimony of witnesses.

Both the state and defense apparently are well pleased with the jury selected, and expect a quick and satisfactory hearing.

The state has summoned 26 witnesses and the defense over 100, 20 or more of whom are character witnesses.

After adjournment, Frank remained for a short while in the court room, and a dozen or more friends came forward to shake hands with him. Standing beside him were his wife and his mother.

"I am satisfied," said Mrs. Frank, "with the progress of the trial and with the selection of the jury. I have no doubt whatever about

the outcomes of the trial. I know that my husband is innocent and that he will be acquitted."

EATS BREAKFAST AT COURT.

About 7:30 o'clock, an hour and a half before his trial was due to begin, Leo M. Frank, the accused, was brought to the court house from the county jail by Sheriff C. W. Mangum, and was secluded in one of the back rooms. Shortly afterward a relative of accused appeared with his breakfast and the prisoner ate it in the room adjoining the jury room.

At 8:15 o'clock, before the doors of the court room were opened, some fifty people were gathered outside, waiting to gain entrance.

CONFIDENT OF ACQUITTAL.

To the relative, E. C. Essenbach, who had brought his breakfast, Frank expres[s]ed confidence that he would secure an early acquittal and be vindicated of the charge against him.

After breakfasting the prisoner spent several moments opening and reading letters which he had brought with him from the jail. Emil Selig, his father-in-law, appeared and engaged in conversation with him.

At 8:20 o'clock Judge L. S. Roan, to preside over the trial, appeared in court, and repaired to the office of the deputy clerk to await the hour for convening court.

At 8:45 o'clock the majority of the veniremen summoned for jury duty were in court. Many of them were actively interested in getting themselves excused for various reasons. Several of them claimed to be members of the militia.

One is a member of the governor's staff. Others claimed to be little better than invalids. They prevailed upon the sheriff to state their pleas privately to Judge Roan, who sent word to them that no excuse would be heard except in open court.

All that hour some 400 people were waiting at the doors of the court.

DEFENSE READY.

At 8:50 o'clock Attorney R. R. Arnold, one of the counsel for the defense, stated: "We are going to trial. We never have intended to do anything else."

It was said that one witness regarded by the defense as important, a traveling salesman, had not been reached with a subpena.

Attorney Arnold stated that so far as he knew, no demurrer to the charge would be interposed by the defense. The defense, said he, intended to take up very little time with formalities, and expected to get right down to business."

"The defense," said he, "probably will call over 100 witnesses to the stand. It was assumed that the majority of them will be character witnesses.

Attorney Arnold entered the court and was followed shortly by Herbert Haas, another member of counsel for the defense.

Solicitor General H. M. Dorsey, representing the state, entered court a few moments later accompanied by his special assistant in the Frank trial, Frank A. Hooper, and followed by his office deputy, Newt Garner, bringing two suit cases filled with papers, presumably including the affidavits which the state is said to have gathered and including particularly those referred to in the subpena duces tecum taken out by the defense.

Promptly at 9 o'clock Judge Roan mounted the bench. Court was called to order. Attorney L. Z. Rosser, chief counsel for the defense, entered. Deputy Sheriff Plennie Minor rapped for order. The clerk of the court began calling the roll of the veniremen.

E. A. Stephens, assistant solicitor, sat at the table of the state.

VENIREMEN'S EXCUSES.

At the defense's table, in addition to the attorneys named already, were Stiles Hopkins and L. Z. Rosser, Jr.

Out of the first panel of veniremen, F. W. Stone, of 82 East Linden street, offered a doctor's certificate that he was unable physically to serve on the jury. Judge Roan called attention to the fact that it was not sworn to by the physician, and excused Mr. Stone long enough to get it sworn.

R. F. Shedden, Georgia manager of the Mutual Life of New York, pleaded that he is a member of the governor's military staff. The judge declined to grant the excuse.

W. H. Wynne, of 196 Cleburne avenue, was called to fill the vacancy in the panel left by Mr. Stone. The first panel was then sworn. It retired. Panel No. 2 was called.

The public was admitted two or three minutes after court convened.

MRS. FRANK ARRIVES.

At 9:15 o'clock Mrs. Frank, wife of the accused arrived at court and went directly to her husband. Their meeting in the seclusion of the back room, whence Frank had not yet been conducted, was described as affecting.

From the second panel four men were excused before it was organized. They were F. A. Hull, who was ill; T. J. Henderson, who is sixty-three years old and exempt because of age; J. A. McCurry, who recently moved from Fulton to DeKalb county, and J. E. Bennerton, who stated that he is deaf. Others were signed to their places on the panel.

In the organization of the third panel the name of Joel Hurt, Atlanta capitalist, was called. The deputies stated that Mr. Hurt is out of the city and has not been served. W. H. Abbott, deputy clerk of the Fulton courts, asked to be excused, pleading that there was no one to take charge of his work in charge of the record room. Judge Roan declined to excuse him. Mr. Abbott then pleaded a slight deafness in one ear. "And I'm almost over age,"

he added. "Almost is not far enough," the judge remarked, still refusing to excuse him.

W. H. Scott, who declared that he was too ill to serve, was the only veniremen excused from the third panel.

Five veniremen were excused from the fourth panel. They were George Mathieson, of Buckhead, on account of being assistant chief of the county police; John W. Alexander, capitalist, 439 South Pryor street, account of illness; W. M. Donahue, of Buckhead, who presented a certificate to the effect that his wife is very ill and needs his presence; E. A. Massa, manufacturer, 305 East Fair street, account of being over age, and J. H. Gilbert, of South Bend, who stated that he has uraemic blood poison which has affected his nerves, making it impossible for him to sit through the trial. On this panel was one negro, Earl Davis, of Collins street—the only negro until then appearing in the jury room.

In the fifth panel George R. Wall, who is ill; F. M. York, whose wife is in a critical condition; and W. I. Brooks, who has moved to DeKalb county, were excused.

From the sixth panel, H. Manass, of 112 Jefferson street, who is deaf, was excused.

Sitting at the table with the solicitor general was W. J. Coleman, of 146 Lindsay street, the stepfather of Mary Phagan, the murdered girl.

DR. CONNALLY EXCUSED.

From the seventh panel were excused Dr. E. L. Connally, of 53 Ashby street, and Rev. W. F. Burdette, of the northern part of the county. Dr. Connally stated that he is over age. "How do you know?" asked Judge Roan, smiling. Dr. Connally replied, "My mother told me so." Mr. Burdette was excused on the ground that he is a Baptist minister engaged in holding a revival.

From the eighth panel were excused C. W. Johnson, of 140 Gaskill, a minister; and J. M. DeFoor, of East Point, who pleaded illness.

In the eighth panel was H. C. Ashburn, a member of the coroner's jury, who heard the original evidence in the case. He remained on the panel, but will be excused for cause.

SOLICITOR CALLS CASE.

After the eighth panel had been organized, Judge Roan asked the solicitor formally what case he had. The solicitor called the case of the state of Georgia against Leo M. Frank. The hour was 10 o'clock.

Minola McKnight, the negro cook at the Frank home, was called among a list of witnesses. Her husband, Albert McKnight, was called, too. He did not answer. The negress stated that she was compelled to make her famous affidavit against Frank, and that she would deny it in court.

After announcing his case of the state against Leo M. Frank, the solicitor began calling the list of the state's witnesses, twenty-six in number. It was expected that others were to be called later. The list included none save material witnesses, it was said. No new names appeared on it.

CONLEY NOT CALLED.

They were J. W. Coleman, stepfather of the murdered girl; Mrs. J. W. Coleman, the mother of Mary Phagan; George W. Epps, a newsboy; Police Sergeant L. S. Dobbs, City Detective L. S. Starnes, W. W. Rogers, a court bailiff; City Detective John Black, Miss Grace Hicks, J. M. Gantt, Pinkerton Detective Harry Scott, City Detective R. B. Haslett, E. F. Holloway, M. B. Darley, William A. Geesling, Dr. Claude Smith, city bacteriologist; Dr. J. W. Hurt, coroner's physician; Dr. H. F. Harris, resident of the state board of health, E. L. Party, E. S. Smith, Miss Monteen Stover, Albert McKnight, colored; Minola McKnight, colored; Miss Helen Ferguson, Mrs. Arthur White, L. Stanford.

Three of the list did not answer. One was Detective Haslett, who was announced to appear later. Another was Albert McKnight, negro, husband of Minola McKnight, who is cook at the Selig and

Frank home. An attachment was issued for the negro. L. Stanford, the third witness who did not answer, it was stated, has received a subpena to appear in court Tuesday.

Just before these witnesses were sworn by the state, Attorney R. R. Arnold stated that the defense had issued subpenas duces tecum directed to the solicitor general, calling for the production in court of three affidavits and other statements made by James Conly, the negro sweeper, before notaries public.

Mr. Arnold said that as soon as that was answered by the state, he had a statement that he wished to make to the court. Attorney Frank Hooper replied to Mr. Arnold and announced that while the state did not concede it could be compelled to produce these papers for the defense, it would agree that when called for and shown to be material, the papers would be produced.

Attorney Arnold asked Solicitor Dorsey to dictate to the court stenographer the state's agreement on this point. Solicitor Dorsey dictated the following:

"Without conceding the right of the defendant to have these affidavits and statements now in the possession of the state, the state, nevertheless, agrees that whenever same are shown to be material to the defense they will be furnished by the state.

These affidavits and statements, taken stenographically, are four in number and were made May 18, May 28, May 24 and May 29."

FRANK IN COURT.

When the witnesses for the state and the defense all had been called, Leo M. Frank, the accused, was brought into court by Sheriff Mangum to confront them as they were sworn. He took his seat beside Attorney Rosser. He was followed into court by his wife, Mrs. Lucile Frank, and his mother, from Brooklyn. Both took seats near him within the railing.

C. B. Dalton was called by the state as another of its witnesses.

A partial list of the witnesses called for the defense is as follows. The total list numbered over 100, including many character witnesses.

DEFENSE WITNESSES.

F. Segidly, Annie Hixon, Mrs. Levy, Mrs. Josephine Selig, Emil Selig, H. J. Hensey, R. H. Haas, W. H. Mincey, who did not answer; J. T. Speer, E. F. Skipper, who did not answer; E. L. Sentell, Mae Barrett, C. H. Carson, Mrs. Rebecca Carson, Harry Denham, Harry Gottheimer, Miss Corinthia Hall, Miss Hattie Hall, Mary Burke, Lemmie Quinn, Herbert J. Schiff, Ella Thomas, C. B. Gilbert, Frank Payne, Eula Flowers, Alonzo Mann, Joseph Stegar, Ike Strauss, J. C. Loeb, L. J. Cohen, Emma Bibb, Mrs. Bessie White, Joe Williams, Wade Campbell, William McKinley, J. E. Lyons, Dora Lavender, M. O. Nix, Jerome Micheael, Mrs. M. G. Michael, George W. Parrott, Mrs. M. W. Myer, Rabbi Marx, William Taylor, Mrs. Beatrice Taylor, Fred Weller, Mr. and Mrs. Charles Eisenbach, Carl Wolfsheimer, Ed Montag, J. D. Fleming, T. T. Brant, Flossie Shields, Dora Small, Mrs. R. Freeman, Charles Leak, Mrs. Ike Strauss, Mrs. T. J. Cohen, Milton H. Cleveland, Julia Fuss, Walter Pride, J. C. Matthews, W. B. Bowen, M. W. Meyer, E. E. Meyer, A. E. Marcus and Mrs. Marcus, A. E. Haas, Ike Haas, Leonard Haas, Leopold Haas, William Montag, Ike Hirschberg, A. B. Levi, Burt Kauffmann, Robert Schwab, Otto Schwab, William Rosenfield, Sidney Levi, Louis Elsas, J. C. Gerschon, George Gerschon, Walter Rich, B. Wildauer, Sidney Levi, Sol Samuels, Arthur Heyman and others.

CHARACTER OF ACCUSED.

The number of character witnesses denoted that the defense intended to put in issue the character of the accused.

The fact that E. L. Sentell and E. S. Skipper, who claimed at the coroner's inquest to have seen Mary Phagan on the streets during the afternoon and evening of April 26, indicated that the defense considered an attempt to prove that Mary Phagan did leave the factory after she entered it for her paycheck.

It was also significant that among the witnesses were the names of people who claimed to have been playing cards at the Selig residence on the night of April 26, showing the defense was intending to prove the statements made by Frank at the inquest about his movements that evening.

After the prisoner entered, Mr. Arnold asked the court's permission to move the defense's table closer to the witness stand. In the rearrangement Frank sat between his mother and wife. The three [1 word illegible] chatted and smiled while the first jury panel was called back.

[Several words illegible] panel was called to the box at 10:40 o'clock. Solicitor Dorsey announced the case to the panel.

R. F. Shedden was excused because of his position as a member of the governor's staff.

Solicitor Dorsey asked this usual formal question of the panel:

"Are you or your wives related by blood or marriage to the defendant, deceased or prosecutor?"

As each venireman's name was called, Solicitor Dorsey asked this series of formal questions:

"Have you from having seen the crime committed or having heard any of the testimony delivered on oath, formed or expressed any opinion as to guilt or innocence of the prisoner at the bar?

"Have you any prejudice or bias resting on your mind either for or against the defendant?

"Is your mind perfectly impartial as between the state and the accused?

"Are you conscientiously opposed to capital punishment?"

As each venireman qualified under those questions, the solicitor would proceed with the usual legal formula, announcing "competent," and directing "Juror, look on prisoner. Prisoner, look on juror."

W. S. Copeland was excused for cause, being past sixty years of age.

O. P. Camp was struck by the state.

Camp had stated that he was conscientiously opposed to capital punishment on circumstantial evidence.

A. W. Brewerton was struck for cause, being opposed to capital punishment.

W. H. Wynee was struck by the state.

R. G. Elliott was struck by the defense.

T. C. Lauren went off for cause.

FIRST PANEL EXHAUSTED.

L. A. Smith went off for cause.

C. T. Hopkins, Jr., was struck by the state.

W. F. Cates went off for cause.

T. G. Young, of 42 Loomis street, foreman for the Georgia Railway and Power company, qualified on all questions asked and was passed by the state.

Reuben Arnold asked the privilege of questioning him. Mr. Arnold asked him if he was not related to the slain girl, Mary Phagan. Young answered that he had heard that his wife's stepfather was related to the Phagans, but that he himself knew nothing positive about it. Mr. Arnold then asked if the witness and his wife had not discussed the Phagan case. Mr. Dorsey interposed an objection. Before certain law books could be produced, Mr. Arnold said he would pass the question, and the defense struck Young.

While Young was being examined, Newt Lee, the negro nightwatchman who discovered Mary Phagan's body, entered the court in custody of a deputy sheriff and passed on to the witness room beyond.

D. B. Henry, the last man in the panel, went off for cause.

The panel had been exhausted without a juror being selected.

In the second panel, Howard Oliver was struck by the defense.

H. E. Lackey went off for cause, being opposed to capital punishment.

O. L. Spurlin was struck by the defense.

FOUR JURORS SELECTED.

The first juror to be accepted was A. H. Henslee. He was accepted at 11:20. He is a traveling salesman for the Franklin Buggy company, of Barnesville, Georgia, and resides at 74 Oak street, Atlanta.

The next man called was accepted—F. V. L. Smith and [sic] electrical manufacturer with offices in the Empire building. He resides at 481 Cherokee avenue.

A. J. Shibe went off for cause admitting prejudice.

E. E. Hawkins, a negro, was struck by the defense.

L. F. Davis went off for cause, being opposed to capital punishment.

David Woodward went off for cause: prejudiced.

M. J. Sewell went off for cause: prejudiced.

J. F. Higdon, a contractor residing at 108 Ormond street, was the third juror accepted.

The next and last venireman in panel No. 2 F. E. Winburn, residing at 213 Vedado way, Ansley Park, also was accepted, making juror No. 4.

FOUR MORE ACCEPTED.

In panel No. 3, four more jurors were accepted.

John Witherspoon was struck by the defense.

H. J. Coogler went off for cause.

T. J. Hale went off for cause.

J. T. Hayes was struck by the defense.

A. L. Wisbey, of 31 Hood street, cashier of the Buckye Cotton Oil company, was accepted.

E. L. Winn went off for cause: prejudiced.

W. H. Abbott, deputy clerk of the superior court, also said he was prejudiced and went off for that cause.

K. P. Mason went off for cause.

W. M. Jeffries, who resides in Collins district, a real estate man with offices in the Empire building, was accepted.

Boyd Perry went off for cause.

M. Johennings, a foreman at 271 Marietta street, who resides at 161 Jones avenue, was accepted.

M. S. Woodward, a salesman for the King Hardware company, who resides at 182 Clark street, was accepted, exhausting the panel.

Another juror was added from the fourth panel.

Samuel Schoen was struck by the state.

W. F. Singleton was struck by the state.

Earl Davis, a negro, was struck by the defense.

C. S. Cantrell went off for cause.

John W. Collier went off for cause.

Arter W. W. Hammett, salesman for the Kingsberry Shoe company, 34 Decatur street, had qualified under the questions asked by the solicitor, the solicitor asked him if he had not expressed an opinion about the case after he was summoned or just prior to receiving his summon. Hammett replied in the negative. Mr. Dorsey asked him: "Haven't you recently expressed an opinion that Frank is innocent and Conley is guilty." Hammett replied, "No," that he had read reports in the papers, and had discussed the case, but had not expressed any positive opinion. He was struck by the state.

FIGHT OVER JURYMEN.

A. F. Bellingrath, a master plumber, residing at 91 Milledge avenue, qualified and was accepted by the state, but the defense interposed. Attorney Arnold inquired if he was a brother of Henry Bellingrath, one of the men seated at the solicitor's table and aiding the solicitor in striking the jury. Mr. Bellingrath replied in the affirmative. Attorney Arnold asked if he had not talked with his brother about the case after he was drawn on the jury. Mr. Bellingrath replied, "Very little," that Henry told him Friday or Saturday that he had been drawn on the jury. He denied having expressed a positive opinion about Frank's guilt. Attorney Arnold asked him a direct question. "Haven't you formed an opinion from reading the newspapers, and haven't you expressed your opinion to the effect that Frank is guilty? And didn't you express such an opinion in the presence of Mr. Brent?" Mr. Bellingrath said he had stated that it "looked that way." Mr. Arnold insisted that Mr. Bellingrath be disqualified. Both Solicitor Dorsey and Attorney Hooper, for the state, read supreme court decisions to the effect that a juror could have expressed an opinion from rumor or newspaper reports and still be competent to serve provided his opinions had not become fixed and had not been formed from hearing evidence under oath.

Attorney Luther Z. Rosser arose and stated that it was a matter largely within the discretion of the judge. Mr. Dorsey demurred, saying that it was not a matter of discretion but of law. Judge Roan ruled that Mr. Bellingrath was disqualified.

D. Berger went off for cause.

NINTH JUROR SELECTED.

J. T. Ozburn, an optician, with the A. W. Hawkes company, was accepted, becoming juror No. 9. He lives at 48 West End place.

H. H. Jones went off for cause.

H. D. Hurlburt went off for cause.

S. J. McDowell struck by the defense.

TENTH JUROR SELECTED.

The tenth juror was selected from the fifth panel, on which through some mistake there were only eleven veniremen.

Edwin F. Johnson went off for cause.

W. C. Willis went off for cause.

H. C. Hasty went off for cause.

A. H. Cook was struck by the defense.

C. H. Candler went off for cause.

George R. Law was struck by the state.

S. C. Owens went off for cause.

J. C. Henderson went off for cause.

B. M. Brown went off for cause.

D. Townsend, paying teller of the Central Bank and Trust Cooperation, residing at 84 Whitehall street, was accepted as a juror.

C. A. Vaughan went off for cause.

NONE FROM SIXTH.

No juror was selected from the sixth panel.

Ben F. Willis was struck by the defense.

C. N. Patton went off for cause.

W. H. Hudson was struck for cause.

G. R. Milner was struck by the defense.

John Head went off for cause.

C. H. Allen went off for cause.

B. N. Carroll went off for cause.

Robert Schmidt went off for cause.

P. F. Barber went off for cause.

O. Wingate went off for cause.

T. E. Winslow was struck by the state.

A. W. Wofford was struck by the defense.

SEVENTH PANEL.

No juror was selected from the seventh panel.

H. H. Kelly went off for cause.

M. A. Long went off for cause.

C. W. Gittens was struck for cause.

H. T. Ferguson went off for cause.

W. L. Merk was struck by the defense.

F. E. Walker went off for cause.

T. B. Sale went off for cause.

W. L. Gaston went off for cause.

C. L. Asbury went off for cause.

J. W. Chatham went off for cause.

C. W. Seagraves went off for cause.

Carl Weinmeister went off for cause.

JURY IS COMPLETED.

The jury was completed from the eight panel, the very last man on the panel becoming juror No. 12. No other panels had been organized.

F. L. Miller was struck by the defense.

H. L. Solomon went off for cause.

W. S. Metcalfe, a mailing clerk in circulation department of the Atlanta Georgian, was accepted.

H. C. Ashford went off for cause, having been a member of the coroner's jury that conducted the inquest in the Phagan case.

E. C. Wachendorff went off from cause.

Nicholas Ittner went off for cause.

Bud Waites went off for cause.

W. W. Sorrell was struck by the defense.

Sol Benjamin went off for cause, having been a member of the grand jury that indicted Frank.

C. J. Bosshardt, pressman, employed by the Foote & Davies Co., living at 260 Bryan street, was accepted.

He was the last venireman available. Had he not been accepted it would have been necessary to organize other panels.

The veniremen who had not been organized were excused from further duty with the case.

The jury was completed at 1:25 o'clock.

Immediately upon the completion of the jury the twelve members of it were called and were sworn.

Court then recessed, at 1:30, until 3 o'clock.

Escorted by deputy sheriffs, the twelve jurors, who will decide Frank's fate, went at 3 o'clock to a Pryor street restaurant.

The defendant in the case, with Mrs. Frank, remained in the prisoners' room under guard of a deputy sheriff, while the court was in recess.

Frank and Mrs. Frank ate luncheon together in the prisoners' room.

When the last juror had been selected the defense still had three strikes left and the state two.